IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1107 OF 2003

Bhavesh H. Mehta .. Applicant

Versus

Swami Vivekanand Shikshan Vikas

Mandal Trust and Ors. .. Respondents

Mr.Rajeev Matkar for Applicants/Intervenors.

Mr.S.U.Marwadi i/b. Prasad M. Pathak for respondents

CORAM : S.C.DHARMADHIKARI, J.

DATE : 18th October 2006.

P.C.

. Apprehension of the applicant who seeks intervention during the course of hearing of Writ

Petition No.121 of 2002 is that along with original complainant - respondent No.2, he had also filed a complaint pointing out that petitioners are guilty of offences pertaining to acceptance of capitation fee and donation.

2. In my view, there is no need for adding this applicant as party respondent or permitting him to intervene, inasmuch as the State has registered the complaint as F.I.R.. It is the State Enactment under which the prosecution is lodged. It would be open for the present applicant to hand over such materials and documents as are in his custody pertaining to the offences alleged and needless to state that learned A.P.P. representing respondent No.1 State would place the same for consideration of this Court. It would be open for the applicant to initiate such proceedings as are permissible in law for ventilation of his grievance and complaint. Equally, it would be open for

petitioner to point out that there is nothing in the documents which are purported to be relied upon nor is there any substance in the grievance because the complaint filed earlier, pertains to one academic year. It would be for the Court while deciding the petition to take note of such pleas. It is not necessary to go into same at this stage. Application disposed of.

(S.C.Dharmadhikari, J)